

Nov 21, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Nos. 2:19-CR-0111-WFN
2:19-CR-0119-WFN-1

ORDER

LUIS MANUEL FARIAS-CARDENAS (1),
JOSHUA ISAAC STINE (2),
PATRICK ELLIOTT PEARSON (3),
CRISTIAN MISAEL GOMEZ (4),
LUIS MANUEL RAMIREZ (5),
ZACARIAS MARTINEZ-GARZA (6),
NOE ANGEL GONZALEZ-MARTINEZ (7),
MARIANO RUIZ-BALDERAS (8),
JESSE LEON MANION, JR. (9),
HEATHER ELAINE KEATING (10),
LEONEL CABALLERO (11),
FOREST WALKER HERZOG (12),
AMY JO DYGERT (13),
RANDALL CURTIS GROSS, JR., (14),
MICHAEL EDWARD McLAUGHLIN, JR. (15),
JESUS VALENICA-MORFIN (16),
GERARDO FARIAS-CONTRERAS (17),
ELICEO FARIAS-CARDENAS (18),
Defendants.

A pretrial conference and motion hearing was held November 20, 2019. The Defendants were present and represented by counsel and in custody as set out in the table below. Assistant United States Attorney Caitlin Baunsgard represented the Government.

Defendant	Custody	Counsel
Luis Manuel Farias-Cardenas (1)	YES	Christopher R. Black
Joshua Isaac Stine (2)	YES	Kent N. Doll, Jr.
Patrick Elliott Pearson (3)	YES	Brian P. Whitaker

Defendant	Custody	Counsel
Cristian Misael Gomez (4)	YES	James M. Parkins
Luis Manuel Ramirez (5)	YES	Timothy D. Trageser
Zacarias Martinez-Garza (6)	YES	Roger J. Peven
Noe Angel Gonzalez-Martinez (7)	No	Curran C. Dempsey
Mariano Ruiz-Balderas (8)	YES	Karen S. Lindholdt
Jesse Leon Manion, Jr. (9)	No	Jeffrey S. Niesen
Heather Elaine Keating (10)	No	Bevan J. Maxey
Leonel Caballero (11)- not present	No	Richard L. Mount
Forest Walker Herzog (12)	No	David M. Miller
Amy Jo Dygert (13)	No	Nicolas V. Vieth
Randall Curtis Gross (14)	YES	Walter L. Ayers / Zachary L. Ayers
Michael Edward McLaughlin, Jr. (15)	YES	Frank L. Cikutovich
Jesus Valenica-Morfin (16)	YES	Virginia Rockwood
Gerardo Farias Contreras (17) and 2:19-CR-0119-1	YES	Mark E. Vovos
Eliceo Farias-Cardenas (18)	YES	David Hammerstad

The Government updated the Court as to the status of discovery. The Court reviewed Behind the Gavel's status update with counsel. The bulk of discovery will be provided and processed within the next few weeks. However, expert reports may take up to three months. The Court urged the Government to nudge the labs along to expedite expert reports as several Defendants have been in custody for several months and they would like the case to move forward as expeditiously as possible.

The Court granted the Government's oral motion to dismiss 2:19-CR-0119-WFN-1. The Court reserved ruling on the Government's request for a bench warrant for Defendant Caballero (11) asking Mr. Mount to provide the Court with a status update after the hearing.

The Court and parties discussed scheduling. Some Defendants expressed concerns regarding a motion deadline as early as late January, but others objected to further delay. Upon further discussion, the Court set a briefing deadline for motions, but indicated that the Court will be flexible regarding the currently set trial date. The Court and parties will revisit the trial date at the next pretrial conference. Deadlines for trial materials, including motions in limine, will be set at a later hearing. The Court has reviewed the file and Motions and is

1 fully informed. This Order is entered to memorialize and supplement the oral rulings of the
2 Court. Accordingly,

3 **IT IS ORDERED** that:

4 **2:19-CR-0119-WFN-1**

- 5 1. The Government's oral motion to dismiss the Indictment is **GRANTED**.
6 2. The Indictment is **DISMISSED without prejudice**.

7 **2:19-CR-0111-WFN**

8 3. A pretrial conference shall be held **February 19, 2020, at 10:00 a.m., in**
9 **Spokane, Washington.**

10 (a) All additional motions shall be filed and served no later than **January 24,**
11 **2020.**

12 (b) Responses shall be filed and served no later than **February 7, 2020.**

13 The District Court Executive is directed to file this Order and provide copies to
14 counsel.

15 **DATED** this 21st day of November, 2019.

16
17 

18 WM. FREMMING NIELSEN
19 SENIOR UNITED STATES DISTRICT JUDGE

20 11-21-19